

**CITY OF DELTONA, FLORIDA
REGULAR CITY COMMISSION MEETING
MONDAY, JUNE 7, 2010**

A Regular Meeting of the Deltona City Commission was held on Monday, June 7, 2010 at the City Hall Commission Chambers, 2345 Providence Boulevard, Deltona, Florida.

1. CALL TO ORDER:

The meeting was called to order at 6:30 p.m. by Mayor Mulder.

2. ROLL CALL:

Mayor	Dennis Mulder	Present
Vice Mayor	Michele McFall-Conte	Absent (Excused)
Commissioner	Michael Carmolingo	Present
Commissioner	Zenaida Denizac	Present
Commissioner	Janet Deyette	Present
Commissioner	Paul Treusch	Present
Commissioner	Herb Zischkau	Present
City Manager	Faith G. Miller	Present
City Attorney	Gary J. Cooney	Present
City Clerk	Joyce Kent	Present

Also present: Planning and Development Services Director Chris Bowley; Building & Zoning Services Director Cy Butts; Finance Director Robert Clinger; Deputy City Manager Dave Denny; Parks & Recreation Director Steve Moore; and Fire Chief Robert Staples.

3. SILENT INVOCATION AND PLEDGE TO THE FLAG:

Mayor Mulder led the audience in the silent invocation and the Pledge of Allegiance to the Flag.

Amanda Molino with Pine Ridge High School sang the National Anthem.

4. APPROVAL OF MINUTES & AGENDA:

1. Regular City Commission Meeting – May 17, 2010.

Motion by Commissioner Carmolingo, seconded by Commissioner Treusch to adopt the minutes of the Regular City Commission Meeting of May 17, 2010 as presented.

Commissioner Zischkau asked if Ms. Miller said on Page 3, lines 30 and 31 where it states “Ms. Miller replied it is a line item in general government account 190 in the budget document” and Ms. Miller replied she believed so and that there is a line 190 in the general government account which is a contingency fund.

Motion carried with members voting as follows: Commissioner Carmolingo, For; Commissioner Deyette, For; Commissioner Treusch, For; Commissioner Zischkau, For; and

1 **Mayor Mulder, For.**

2
3 **B. Additions or Deletions to Agenda:**

4
5 Ms. Miller stated that Trinity Christian Academy Eagles Baseball Team was unable to make the
6 meeting and Item 5-B would be tabled to the Regular City Commission Meeting, June 21, 2010.

7
8 **5. PRESENTATIONS/AWARDS/REPORTS:**

9
10 **A. Presentation - Certificates for Superstar Students of the Month - May, 2010.**

11
12 Mayor Mulder presented Superstar Students of the Month for May, 2010 to Yuri Trejo Lora, 5th
13 grade, Deltona Lakes Elementary School; Carl Graziano, 5th grade, Pride Elementary School; and
14 Jordan Parodi-Light, 4th grade, Discovery Elementary School.

15
16 **B. Presentation of Certificates – Trinity Christian Academy Baseball Eagles for winning**
17 **their 2nd in a row Class 1A State Championship.**

18
19 Item tabled to June 21, 2010.

20
21 **C. Presentation – Boy Scouts of America Annual Charter Certificate.**

22
23 The Boys Scouts of America presented the City of Deltona with a certificate for their sponsorship
24 and support of the Explorers Youth Program.

25
26 **D. Presentation - Certificates for Community Service Excellence - Johana Knox Awards.**

27
28 Mayor Mulder presented Certificates of Recognition to Jose Lopez, Adrienne Ferrer, Ida Jane
29 Wegrzy and Don Jones for being nominated for the Johana Knox Award for Community Service
30 Excellence.

31
32 **E. Proclamation - National Garden Week - June 6 - 10, 2010.**

33
34 Mayor Mulder read the proclamation declaring the week of June 6 – 10, 2010 as National Garden
35 Week and presented it to Barbara Willey, Chairperson of the Beautification Advisory Board and
36 member of the Deltona Garden Club.

37
38 **F. Presentation – Certificates of Recognition – Fire Department Personnel.**

39
40 Mayor Mulder presented Certificates of Recognition to Lieutenant Robert Donaldson, Engineer
41 Bryan Maples and Firefighter Mark Dalton for helping save a three (3) year old after he had fallen
42 into the family pool and was found not breathing. The City of Deltona is proud of all its Fire
43 Department personnel but, never so much as when a child is restored to life.

44
45 **G. Proclamation – Steven C. Mills – June 7, 2010.**

46
47 Mayor Mulder read the proclamation declaring the day of June 7, 2010 as Steven C. Mills Day and
48 presented it to Robert and Virginia Mills.

Commissioner Denizac stated the students at Pine Ridge High School collected over 500 signatures to have street lights put on Doyle Road and submitted the petition for the record.

6. PUBLIC FORUM – Citizen comments for items not on the agenda.

a) Richard Waters, 1672 Horseshoe Rd., apologized for his family's behavior during the May 3, 2010 City Commission Meeting. He spoke regarding health code issues with the concession stand at Dewey O'Boster Park and being kicked out of a meeting between City staff and the Deltona Youth Soccer Club.

b) Barbara Willey, 1407 Section Line Trail, invited everyone to attend a program by the Beautification Advisory Board that will take place next Saturday at Lowe's Plaza at the corner of Elkcarn and Howland Blvds.

c) Charlie Vance, 2270 Asbury Rd., spoke regarding the State soccer competition that took place over the weekend and the comments he received regarding how great the soccer fields looked.

d) Robert Donaldson, 3338 Sorrel Circle, spoke regarding what he stated at the last City Commission Meeting in reference to Mayor Mulder's incentive proposal, the City Commission working together, citizen awareness groups and the Commission taking accountability.

e) Randy Hollensbe, 3305 Red Fox Dr., spoke regarding tryouts for the Deltona Youth Soccer Travel Team, the results of a survey which was sent to the soccer players/parents, decreased fees for the in-house soccer program and he apologized to Mr. Waters. He thanked the City Commission for the time to allow staff and the Deltona Youth Soccer Club to work things out.

7. CONSENT AGENDA:

Motion by Commissioner Carmolingo, seconded by Commissioner Treusch to approve Consent Agenda Items 7-A through 7-C.

Commissioner Zischkau asked to pull Item 7-B for discussion. Mayor Mulder stated there was a motion and a proper second on the floor and he asked if the item could be discussed and leave the motion as it is.

Commissioner Zischkau stated what staff is asking the Commission to do is to find that the City needs to take 10% of the \$350,000 State Housing Initiatives Partnership (SHIP) subsidy instead of 5% which is the difference between \$35,000 and \$70,500. He stated three (3) reasons why he would oppose approval of Item 7-B and just let the City take the 5% and not ask for 10%.

Ms. Miller stated the reason for the reallocation of funds is because it is costing more to administer the program.

Commissioner Denizac asked if there would be additional personnel hired to administer the program and Mr. Bowley replied the money would help to fund a grant funded position.

Motion carried with members voting as follows:

Commissioner Carmolingo	For
Commissioner Denizac	For
Commissioner Deyette	For
Commissioner Treusch	For
Commissioner Zischkau	Against
Mayor Mulder	For

***A. Resolution No. 2010-06, Initial Assessment Resolution for the creation of the Sullivan Street Streetlighting District.**

Approved by Consent Agenda – to adopt Resolution No. 2010-06, creating the Sullivan Street Streetlighting District.

***B. Resolution No. 2010-10, Pertaining to the City's Local Housing Assistance Plan and providing for increased costs of administration and reallocation of State Housing Initiatives Partnership (SHIP) Program Funds.**

Approved by Consent Agenda – to approve Resolution No. 2010-10 providing for the reallocation of State Housing Initiatives Partnership (SHIP) Program funds, as defined within the Local Housing Assistance Plan (LHAP), to increase the percentage of program income up to the maximum 10% allowable to ensure administration costs incurred are sufficient.

***C. Resolution No. 2010-11, Amendment to FY 2009/2010 Annual Budget to recognize Firefighter Pension Insurance Premium Tax in the amount of \$394,000.**

Approved by Consent Agenda – to approve Resolution No. 2010-11 for a FY 09/10 budget amendment in the amount of \$394,000 anticipated to be received from the State of Florida on behalf of the Firefighters' Pension Fund for funding of additional benefits to the Firefighters' Pension Plan.

8. ORDINANCES AND -PUBLIC HEARINGS:

A. Ordinance No. 03-2010, creating new Section 68-30, *Water Use Restrictions*, of the Deltona Code of Ordinances pertaining to water usage and adopting the St. Johns River Water Management District's Water Conservation Rule for Landscape Irrigation, for second and final reading.

The public hearing was opened and closed as there were no public comments.

Motion by Commissioner Denizac, seconded by Commissioner Carmolingo to adopt Ordinance No. 03-2010, by amending the Deltona Code of Ordinances to add Section 68-30, "*Water Use Restrictions*" at second and final reading.

Mr. Cooney read the title of Ordinance No. 03-2010.

1
2 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, CREATING A NEW**
3 **SECTION 68-30 OF THE CODE OF ORDINANCES, CITY OF DELTONA, FLORIDA**
4 **PERTAINING TO WATER USAGE; ADOPTING THE ST. JOHNS RIVER WATER**
5 **MANAGEMENT DISTRICT'S WATER CONSERVATION RULE FOR LANDSCAPING**
6 **IRRIGATION; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES;**
7 **PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**
8

9 Commissioner Zischkau repeated the two (2) reasons why approving the Ordinance was a bad idea
10 which he stated at the first reading of the Ordinance.
11

12 **Motion carried with members voting as follows:**
13

14	Commissioner Carmolingo	For
15	Commissioner Denizac	For
16	Commissioner Deyette	For
17	Commissioner Treusch	Against
18	Commissioner Zischkau	Against
19	Mayor Mulder	For

20

21 Ordinance No. 03-2010 was adopted at second reading at 7:16 p.m.
22

23 **B. Public Hearing – Purchase Agreement for property located at 1901 S. Palomar Drive**
24 **which is needed for the Fort Smith road widening project.**
25

26 The public hearing was opened and closed as there were no public comments.
27

28 **Motion by Commissioner Treusch, seconded by Commissioner Carmolingo to authorize the**
29 **purchase of the property located at 1901 South Palomar Drive, Deltona, Florida, at the**
30 **purchase price of \$35,000.**
31

32 **Motion carried with members voting as follows: Commissioner Carmolingo, For;**
33 **Commissioner Denizac, For; Commissioner Deyette, For; Commissioner Treusch, For;**
34 **Commissioner Zischkau, For; and Mayor Mulder, For.**
35

36 **C. Ordinance No. 06-2010, Amending Section 70-26 of the City of Deltona Code of**
37 **Ordinances to amend the definition of a Public Market, for first reading.**
38

39 The public hearing was opened and closed as there were no public comments.
40

41 **Motion by Commissioner Treusch, seconded by Commissioner Deyette to approve Ordinance**
42 **No. 06-2010 at first reading and to schedule second and final reading for June 21, 2010.**
43

44 Commissioner Denizac stated that there ought to be clarification of what “arts and crafts” means
45 and that everyone should be in unison as to the understanding of what craft items are.
46

47 Commissioner Zischkau stated there is another change being requested to change the City’s code

1 to allow for such public markets in residential neighborhoods and the reason this is a bad idea is
2 because through a loose definition there is the possibility of having flea markets opening up in
3 residential areas.

4
5 Mr. Cooney provided some background regarding changing the location of the Public Market and
6 the addition of craft items. He stated he discovered that the proposed church property was not
7 zoned as a public property which is taken care of with Ordinance No. 07-2010 and the definition
8 of public market was rewritten in Ordinance No. 06-2010 to include art and craft items. He stated
9 the definition of public market is tied to where the City Commission wants to put a public market
10 and in the definition it talks about a place "owned, leased or used by the City". He stated the City
11 Commission would control the place as the governing body as owning, leasing or using the place
12 so ultimately the City Commission would control the public market. He stated the comment about
13 arts and crafts are typically defined as hand crafts or homemade and language could be added that
14 states "subject to guidelines produced by the City" to avoid those types of cheaply manufactured
15 items being sold at the public market.

16
17 Commissioner Carmolingo stated the Parks and Recreation Department was hampered by not
18 allowing the sale of arts and crafts. He stated a sister City opened a public market with quality arts
19 and crafts and has done ten (10) times better than the City of Deltona's Public Market. He stated
20 the only problem is the selling of flea market material which can be controlled.

21
22 Commissioner Zischkau asked how the City would get control of the proposed church property
23 and he questioned if that would be mixing up church and State. Mr. Cooney replied if the City
24 was going to use the church property the City would have to sign a lease under whatever terms
25 both parties agreed on.

26
27 Commissioner Zischkau asked if it would be more appropriate as a "conditional use" rather than a
28 "permitted use". Mr. Cooney replied the first Ordinance in Item 8-D was built with the notion that
29 a permitted use would be allowed in the district where the proposed church is located that the
30 Commission discussed. He stated the Planning and Zoning Advisory Board recommended using
31 "conditional use" which is the second Ordinance in Item 8-D and he gave detailed information of
32 two (2) items which the Board focused on.

33
34 Commissioner Zischkau stated he liked the limitation "leased by the City" but, he does not like
35 "used by the City".

36
37 Mr. Cooney read the title of Ordinance No. 06-2010.

38
39 **AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, AMENDING SECTION 70-**
40 **26 OF THE CODE OF ORDINANCES, CITY OF DELTONA, FLORIDA PERTAINING**
41 **TO DEFINITIONS; AMENDING THE DEFINITION OF PUBLIC MARKET;**
42 **PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

43
44 **Motion carried with members voting as follows:**

45
46 **Commissioner Carmolingo For**
47 **Commissioner Denizac For**

Commissioner Deyette	For
Commissioner Treusch	For
Commissioner Zischkau	Against
Mayor Mulder	For

Ordinance No. 06-2010 was adopted at first reading at 7:30 p.m.

Mr. Cooney stated he will bring the Ordinance back clarifying “art” and he would look for Commissioner Zischkau the question of use and being a little bit too loose.

D. Ordinance No. 07-2010, Amending Section 110-706.02 of the Code of Ordinances, Pertaining to permitted uses in the R1-AAA, AA, A and R-1 Zoning Districts and Allowing Public Markets in said zoning districts as permitted uses, for first reading.

Mayor Mulder stated the first Ordinance allows the City to have the public market as a permitted use in this particular zoning classification and the second Ordinance seemed like it could work if the word “conditional” was changed to “permitted” because if the Commission ever decides to move the location of the public market the City would not have to go through the conditional use process again which he feels is not necessary.

Mr. Cooney stated the first Ordinance would allow public markets in the zoning districts that are indicated in that section of the code (Section 110-706.02) which are all residential districts ranging from R-1AAA to R-1 and the second Ordinance was in response to the request by the Planning and Zoning Advisory Board to allow them as uses throughout all of the code designations but, the Planning and Zoning Advisory Board specifically requested that they be conditional uses. If the City controls ultimately where the public markets are going to go and if the Commission chooses to put them as permitted uses across the board the question becomes whether the Commission as a body wants to go through the additional conditional use process which would add a step.

The public hearing was opened and closed as there were no public comments.

Motion by Commissioner Zischkau, seconded by Commissioner Carmolingo to adopt Ordinance No. 07-2010 to allow Public Markets as a Conditional Use in all Zoning Districts of the City at first reading and to schedule second and final reading for June 21, 2010.

Commissioner Denizac stated if the public market were to be placed at the intersection of Tivoli and Providence Blvds. that there may be a need for a left hand turn signal at that intersection.

Commissioner Zischkau stated both Items 8-C and 8-D appear to be directed to the process of moving the public market from City Hall to the proposed church property located at Tivoli and Providence Blvds. He stated the public market can be moved without changing the City’s Ordinances, however, he agrees with the Planning and Zoning Advisory Board’s conclusion because it shows they and staff have made a thorough review of what the City’s permitted uses are and tightening up the code in order to change a lot of uses, not just public market, to conditional uses. He stated the distinction between the two (2) alternative motions is so stark but, quite a bit of thought went into the second Ordinance which includes the recommendation of the Planning and Zoning Advisory Board.

Mr. Cooney stated there are three (3) options, one is directed at a particular zoning district, one is directed across all zoning districts and he has not heard anyone say that they do not want to go to all the zoning districts so the last question is whether to make the public market a conditional use or a permitted use.

Mayor Mulder stated if this is handled this way this time the public market will not be open for a substantial amount of time longer than it would otherwise. He stated he agrees with every point made by the Planning and Zoning Advisory Board for the alternative Ordinance except for the word "conditional". He stated he would support the motion if the word "conditional" were changed to the word "permitted".

Commissioner Carmolingo stated he seconded the motion because the Planning and Zoning Advisory Board made a recommendation and there have been times he had ignored their recommendation in the past.

Mr. Cooney read the title of Ordinance No. 07-2010.

AN ORDINANCE OF THE CITY OF DELTONA, FLORIDA, PERTAINING TO PUBLIC MARKETS; ALLOWING PUBLIC MARKETS AS A CONDITIONAL USE IN ALL ZONING DISTRICTS OF THE CITY; CORRECTING SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Motion carried with members voting as follows:

Commissioner Carmolingo	For
Commissioner Denizac	For
Commissioner Deyette	Against
Commissioner Treusch	For
Commissioner Zischkau	For
Mayor Mulder	Against

Ordinance No. 07-2010 was adopted at first reading at 7:46 p.m.

9. OLD BUSINESS: None.

10. NEW BUSINESS:

A. Consideration of appointment of a City representative to the Volusia County MPO's Bicycle and Pedestrian Advisory Committee (BPAC).

Commissioner Carmolingo stated he received a call from Robert Echevarria who discussed that he would like to be the City's representative to the Volusia County MPO's Bicycle and Pedestrian Advisory Committee. He stated he just graduated from Stetson University and he is concerned about bicycle safety in Deltona. He stated Mr. Echevarria applied to go to school at Harvard University in the Fall so if appointed it may only be temporary but, he would recommend him for the position.

1 **Motion by Commissioner Carmolingo, seconded by Commissioner Zischkau to confirm the**
2 **appointment of Robert Echevarria as the City's representative to the Volusia County MPO's**
3 **Bicycle and Pedestrian Advisory Committee (BPAC).**

4
5 **Motion carried with members voting as follows: Commissioner Carmolingo, For;**
6 **Commissioner Denizac, For; Commissioner Deyette, For; Commissioner Treusch, For;**
7 **Commissioner Zischkau, For; and Mayor Mulder, For.**

8
9 **B. Consideration of appointment of one (1) member to the Planning and Zoning**
10 **Advisory Board (Mayor Mulder's appointment).**

11
12 **Motion by Commissioner Carmolingo, seconded by Commissioner Denizac to table Item 10-**
13 **B, appointment of one (1) member to the Planning and Zoning Advisory Board.**

14
15 **Motion carried with members voting as follows: Commissioner Carmolingo, For;**
16 **Commissioner Denizac, For; Commissioner Deyette, For; Commissioner Treusch, For;**
17 **Commissioner Zischkau, For; and Mayor Mulder, For.**

18
19 **C. Resolution No. 2010-09, Executing and Delivering a Deed in Favor of the Florida**
20 **Department of Transportation for Parcel No. 174 which is needed for the proposed widening**
21 **of State Road 415.**

22
23 **Motion by Commissioner Denizac, seconded by Commissioner Deyette to adopt Resolution**
24 **No. 2010-09 to execute and deliver a deed in favor of the Florida Department of**
25 **Transportation conveying all rights, title and interest that said City has in and to Parcel**
26 **174.1, Section 79120, F.P. No. 407355-4, State Road 415 required for transportation**
27 **purposes.**

28
29 **Mayor Mulder stated this is one more policy the Commission is potentially passing to encourage**
30 **the widening of S.R. 415.**

31
32 **Motion carried with members voting as follows: Commissioner Carmolingo, For;**
33 **Commissioner Denizac, For; Commissioner Deyette, For; Commissioner Treusch, For;**
34 **Commissioner Zischkau, For; and Mayor Mulder, For.**

35
36 **11. CITY COMMISSION COMMENTS:**

- 37
38 a) **Commissioner Zischkau stated he received a proposed Ordinance from Lonnie Groot who is both**
39 **a resident of the City and a professional in the area of representing City governments. He stated**
40 **he would like to endorse the City Commission taking action on this Ordinance. He stated what**
41 **the Ordinance does is codify that Charter Officers in the City should not be involved in elections**
42 **and political matters. It is a very limited version of the Hatch Act at the Federal level which**
43 **protects Federal employees from being pressured by their bosses to support political candidates.**
44 **He stated those of us who remember this being taught in American History in school before the**
45 **Civil Service Laws, Hatch Act and various other protections for government employees there was**
46 **an overwhelming amount of pressure that if you wanted to keep your job you needed to engage in**
47 **partisan political activities. He stated those activities are good when they are voluntary but, not so**

1 good when they are involuntary. He stated things are heard from notoriously corrupt cities like
2 Chicago and he knows Chicago is not the only politically corrupt City in the country but, it is sort
3 of the watchword these days for what can happen when a particular political party governs
4 everything that goes on and everyone that walks down the street so he does think the City needs
5 this Ordinance and he asked that it be put on the next agenda. He stated what the Ordinance
6 would do is specifically prohibit the City Manager and City Attorney from participating in
7 political activity.
8

- 9 b) Commissioner Zischkau stated he is glad that Trinity Christian Academy's accomplishment in
10 their baseball team winning the Class 1A State Championship is on the next City Commissioner
11 Meeting but, he would also propose to the City Manager to include them, honoring them in the
12 upcoming Independence Day festivities because it is extraordinary for a baseball team to win a
13 State Championship and even more extraordinary for them to win two (2) years in a row. He
14 stated here we have a local Deltona high school, Trinity Christian Academy, doing the City proud
15 by excelling in sportsmanship and in their technical prowess in playing the game. He stated he
16 thinks it is nice that that the Commission gives them certificates and takes their picture in a City
17 Commission Meeting but, he thinks that staff should let more people in Deltona know by giving
18 the team and the school greater exposure at the City's Independence Day Event.
19

20 Mayor Mulder asked what Commissioner Zischkau meant by "more exposure" and Commission
21 Zischkau replied if the team could be the Guest of Honor at the Independence Day festivities that
22 would be an appropriate honor for a State Championship baseball team.
23

- 24 c) Commissioner Deyette stated Votran is looking for public input on proposed route changes and
25 they will hold four (4) public meetings in June to receive comments on the bus service reductions
26 that have been proposed as part of the County governments overall goal to reduce the 2010/2011
27 fiscal year budget by approximately \$23 million. The proposed Votran service eliminations
28 include the express route 200 to Orlando which is the main one from the park and rides, the beach
29 side trolleys, some holiday service, route 24 and southeast Volusia routes 42, 43 and 44. The next
30 step is to hold public meetings, gather public input and then it will be taken back to the County
31 Council for a final decision and approval. There is a public hearing on Thursday, June 24th
32 between 5:00 and 7:00 p.m. in the Deltona City Commission Chambers and there are other public
33 hearings that will take place in Pierson and at Votran Headquarters.
34

- 35 d) Commissioner Deyette stated there is a West Volusia Summit Meeting that occurs approximately
36 every three (3) months that make important decisions for the cities on the west side of Volusia
37 County. The next meeting is on Saturday, June 26th at 9:00 a.m. in the Orange City Council
38 Chambers. The meeting will cover water issues, economic development issues and the Wal-Mart
39 Distribution Center.
40

- 41 e) Commissioner Deyette reminded everyone of her Town Hall Meeting where she will be joined by
42 the Economic Development Advisory Board and there will be presentations, updates on business
43 development, the activity center, parks and their improvements and Thornby and the all inclusive
44 playground.
45

- 46 f) Commissioner Deyette asked the City Manager what the status of the Firefighters Pension
47 Ordinance was and Ms. Miller replied it was forwarded to the City's pension attorney, James

1 Lynne, and pension actuary. Ms. Miller stated she had only received a response back from the
2 actuary and she thinks there are some implications to the plan.

3
4 g) Commissioner Carmolingo stated he attended two (2) great events Saturday. One was the Senior
5 Health Fair which was over and above anything he could have expected and he was proud of
6 what the City had done to provide a service like this to the senior citizens. After that he
7 proceeded to the Volusia County Fairgrounds where Univision, a Spanish television station on
8 Channel 26, invited him to their health fair which was a splendid event and the fourth one he has
9 attended. He stated he was proud of the Parks and Recreation Department for working two (2)
10 events on Saturday and that they did a great job.

11
12 h) Commissioner Carmolingo apologized to the people who live along Ft. Smith Blvd. where
13 construction is taking place because he knows it causes a hardship for some people. He stated the
14 portion of the road that is completed looks great but, there is so much more work that needs to be
15 done and he asked the residents to please bear with the City during construction.

16
17 i) Commissioner Carmolingo stated some of the roads in the City are not up to par and he asked that
18 anyone who lives on one of these City thoroughfares to notify staff or himself. He stated there
19 are some roads which the City does not have control over and the City does whatever it can to try
20 and have those roads repaired but, it is really out of the City's hands and he hopes that in due time
21 the roads will get repaired.

22
23 j) Commissioner Carmolingo agreed with Commissioner Zischkau that something should be done
24 over and above for Trinity Christian Academy Eagles Baseball Team. He stated to bring home
25 two (2) championships two (2) years in a row is extraordinary.

26
27 k) Commissioner Carmolingo stated he received his homeowner's insurance notice which had
28 increased by \$600 from last year.

29
30 l) Commissioner Denizac stated she received more complaints about Howland Blvd. after it was
31 improved than any other street in the City. The median needs to be maintained, the grass is pretty
32 high and the County needs to be more proactive since Howland Blvd. is one of the City's major
33 gateways.

34
35 m) Commissioner Denizac stated the Health Fair from Univision was excellent and she wondered if
36 there was any way to attract the Health Fair to the City of Deltona because most of the
37 participants were from the City.

38
39 n) Commissioner Denizac stated minutes of the advisory boards are not being posted online on time
40 and she frequently checks them. She stated there are minutes from March, April and May for
41 several boards that are not present on the website. She stated the minutes need to be updated
42 because she wants to know what is going on and some people cannot attend all the meetings.

43
44 o) Commissioner Denizac stated she agreed that the City needs to make a big deal about the State
45 Championship won by Trinity Christian Academy Eagles Baseball Team. She suggested posting
46 the accomplishment on the marquees, the City needs to celebrate their accomplishment, put an
47 article in the Pride and she suggested looking for moments like this to make a big deal of them to
48 showcase and highlight the City.

- 1
2 p) Commissioner Treusch stated it is interested that the Commission received the Ordinance to cease
3 the City Manager and City Attorney, Charter Officials, from supporting elected officials. He
4 stated this weekend he attended several functions for Memorial Day and in rough figures there
5 have been one (1) million men and women “killed in action” (KIA). Another statistic is for
6 everyone killed in action there are six (6) wounded in action which is over 7 million servicemen
7 that are suffering or been killed and he cannot think of one (1) that would stifle the City Manager
8 and the City Attorney to support who they want to in an election. He stated he will not support
9 the Ordinance now and he will not support it when it comes up on the agenda because it is
10 communism.
11
- 12 q) Mayor Mulder stated he has provided the Mills family information and their interest was that
13 something good comes out of what has happened to their family and to their son. He stated the
14 family feels that, that portion of the Doyle Road, although it is not a City road is very dark and
15 without sidewalks. There is very little that can be done about sidewalks in that particular area but,
16 the County is engaged and will continue to be engaged regarding improvements along that section
17 of road which will actually make it wider but, will not offer sidewalks. The City Manager has
18 gotten at his request some initial estimates based on some of the other areas within the City that
19 the City lights. There is a City fund that funds arterial lighting throughout the City for the cost of
20 lighting not necessarily constructing them. Doyle Road runs along the perimeter of the City, from
21 Courtland Blvd. to Saxon Blvd. and it would require 26 lights at approximately \$3,000 a year to
22 light that road which seems nominal. He asked the Commission’s opinion to see about having the
23 City Manager move forward with the County to provide lighting to that portion of Doyle Road
24 and the City Commission concurred.
25
- 26 r) Mayor Mulder asked if during Tuesday’s City Commission Workshop Dave Denny could brief
27 the Commission on where the City stands with the water levels with all the rain the City has
28 received and where he thinks the levels might be going in the future.
29
- 30 s) Mayor Mulder officially congratulated Vice Mayor McFall-Conte on the birth of her twins. He
31 stated she has been a trooper attending the meetings via telephone and he does not blame her for
32 taking this break but, he understands that her first weeks as a mother have been eventful to say the
33 least. He stated he cannot imagine going from zero (0) children to two (2) overnight.
34

35 **12. CITY ATTORNEY COMMENTS:**

36
37 **13. CITY MANAGER COMMENTS:**
38

39 Ms. Miller stated Commissioner Denizac mentioned putting Trinity Christian Academy Eagles
40 Baseball Team on the marquees which have not been done in the past and her concern is that if the
41 City does it for one baseball team it opens up the requests for many others. The marquees have
42 just been used for City actions and she would like direction from the Commission if they would
43 like to change that.
44

45 Mayor Mulder stated he is okay with Commissioner Zischkau’s suggestion and Ms. Miller replied
46 staff will work on something for the 4th of July Event to recognize the baseball team.
47

1 Commissioner Denizac stated it is a matter of City pride, it is not an everyday event, the City
2 should be proud of what has happened and should take the opportunity to recognize the team. She
3 stated this does not mean that everything that comes up will be put on the marquees but, the
4 baseball team should be celebrated, highlighted and the City should do whatever needs to be done.

5
6 Commissioner Zischkau stated the City Manager raised a good point and he suggested having Ms.
7 Miller ask staff to think of a way to restrictively define what goes on the marquees so it can be
8 kept as “extraordinary events” rather than everybody that has a special day coming up.

9
10 Mayor Mulder stated he thought Ms. Miller could draft an Administrative Policy and send it to the
11 Commission that does that but, he does not think it should be something that comes to the
12 Commission for approval. He stated he definitely believes that what goes on the marquees should
13 be Ms. Miller’s call administratively because he feels it opens Pandora’s Box if the City Manager
14 has nothing as a guide in the future.

15
16 **After discussion, the Commission concurred to recognize Trinity Christian Academy Eagles**
17 **Baseball Team at the July 4th Event and for the City Manager and staff to create a policy**
18 **which defines what types of events would be placed on the City’s marquees.**

19
20 Ms. Miller stated the Community Life Center has indicated that due to lack of funding they will be
21 closing their doors within 60 days. The Commission had reduced their rent at one point to \$1,000
22 per month and then subsequently reduced it to \$500 per month and because the Commission did
23 that action she felt that it was appropriate to bring it to the Commission that Pastor Gregory has
24 submitted a request asking for June and July’s rent to be waived. The Board of Directors has
25 given Pastor Gregory 30 days to find someone to take over the program and if that does not work
26 then another 30 days to dispose or sell off whatever equipment and things they have. She stated
27 subsequent to that she would like to have a discussion as to what the Commission would like to do
28 with the building in the future when they feel it is appropriate and Mayor Mulder replied it could
29 be discussed at a workshop or at a later time.

30
31 Mayor Mulder stated if it is a matter of them unwinding the operation, they are already closed and
32 if there is no revenue coming in they or they do not have a funding source he does not have a
33 problem with providing 60 days of free rent.

34
35 Commissioner Denizac stated she would give them no more than 30 days rent free and she would
36 bring the Volusia County Sheriff’s Office back into that building.

37
38 Commissioner Carmolingo, Commissioner Treusch and Commissioner Deyette agreed to give the
39 organization 60 days rent free to unwind their operation.

40
41 Commissioner Zischkau agreed with Commissioner Denizac and he stated most businesses can
42 unwind within 30 days.

43
44 Ms. Miller stated the Department of Children and Families’ (DCF) lease is up on November 14th
45 and the United Cerebral Palsy’s lease is up on October 31st.

46
47 Mayor Mulder asked to add the topic to Tuesday’s workshop to follow up with what will be done

1 with the building.

2
3 Commissioner Denizac asked how much it was going to cost the City because there is electricity
4 and other stuff involved and she feels that 30 days is more than enough time to unwind the
5 operation.

6
7 Ms. Miller stated Pastor Gregory has been talking to another agency to take over her work in the
8 building but, that agency would have to come forward to the City to get a facility use agreement in
9 order to operate in that building.

10
11 **After discussion, the Commission concurred to provide 60 days rent free for the**
12 **organization to unwind.**

13
14 Ms. Miller stated she received a request from a resident to do a 10-15 minute presentation before
15 the Commission and the topic was "The history of facility use agreements and the relationship
16 between the City, elected officials and Charter Officers and not for profit partners". She stated she
17 indicated to the resident that she would ask the Commission if it would like to have such a
18 presentation at a Commission meeting before she would schedule it on an agenda.

19
20 Commissioner Denizac stated this has been allowed in the past and she believes the guidelines are
21 not very defined so until those guidelines are defined she thinks for now it ought to be allowed,
22 reassess the topic and make any improvements that need to be made to the guidelines.

23
24 Mayor Mulder stated the guidelines are black and white and this is one of those instances where
25 the City Manager and himself will disagree regarding her bringing these kinds of things before the
26 Commission because in the policy it states it is her decision. He stated if the City Manager is
27 asking him whether he needs to know the history of anything that goes on within the City or has
28 gone on in the City from the requestor he would say "no" and the only way he would say yes is if
29 Steve Moore who manages all the Parks and Recreations agreements and organizations thinks it
30 might be something that would be beneficial for the Commission to hear because he trusts him and
31 the staff.

32
33 Commissioner Carmolingo agreed with Mayor Mulder. He stated he believes all the City's
34 agreements are tried-and-true and he does not think he needs any more advice or education on how
35 to run Parks and Recreation.

36
37 Commissioner Deyette stated she is not comfortable with hearing the presentation because she
38 really does not know what it is about or what kind of slant it has or anything and if there is a
39 policy in place that is what the City should go by.

40
41 Mayor Mulder explained the policy and he stated when he has a presentation he asks the
42 Commission for permission to put it on the agenda.

43
44 Commissioner Treusch stated he does not want to start a precedence and residents have four (4)
45 minutes to speak during the public forum portion of the meeting.

46
47 Ms. Miller gave a description of the City Commission Guidelines.

Commissioner Denizac stated the Commission falls into the danger of becoming selective and if the guidelines do not work for the Commission they need to be changed because these things need to be looked at in an objective manner.

Mayor Mulder stated the system works perfectly as designed and for him he does not need any further education on the subject and if he thought it would be beneficial he would have said "yes" to the presentation.

Ms. Miller stated individuals are told they can speak during the public forum portion of the meeting and are able to hand out any material they may have.

After discussion, the Commission concurred not to allow the presentation on a future agenda.

14. ADJOURNMENT:

There being no further business, the meeting adjourned at 8:30 p.m.

ATTEST:

Dennis Mulder, MAYOR

Joyce Kent, CITY CLERK